

ORIGINAL
U.S. DISTRICT COURT
NORTHERN DISTRICT
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION
FILED
JUL 12 20

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DISTRICT COURT FILED
OF TEXAS
JUL 12 2011
3:34
CLERK, U.S. DISTRICT COURT
By [Signature]
Deputy

CAUSE NO.

53330

2011 CV 2698 - B

**Jennifer Florence
Dawson, Justin Howell,
Adam Chesley, et al.,
Plaintiffs,
v.**

**City of Dallas, Texas
Defendant.**

**PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTION**

Plaintiffs hereby move, pursuant to Fed. R. Civ. P. 65, for entry of a Temporary Restraining Order and/or Preliminary Injunction to enjoin, preliminarily and permanently thereafter, the Defendant City of Dallas and its officials, employees, agents, assigns and others who may be acting in concert with them, from unreasonably interfering with Plaintiffs' rights to free expression in the public forums within the City of Dallas, and more specifically order Defendants to:

Withdraw any requirement that Plaintiffs' purchase insurance to cover their exercise of their First Amendment rights;

1. Plaintiffs incorporate herein by reference the facts alleged in their Original Complaint.
2. Plaintiffs also incorporate herein by reference the legal arguments contained in the *Brief in Support of Plaintiffs' Motion for Temporary Restraining Order and/or Preliminary Injunction*.

3. Plaintiffs' counsel have been in regular contact with attorneys for the City of Dallas attempting during that time to resolve the disputes now brought before this Court. Plaintiffs' counsel has advised the foregoing attorneys that this motion is being presented today.

4. Plaintiffs hereby respectfully request an immediate status conference to discuss a schedule for limited, expedited discovery and a hearing on this motion at the court's earliest opportunity.

WHEREFORE, Plaintiffs respectfully request that this Court issue a TRO/preliminary injunction enjoining the Defendant City of Dallas, and its officials, employees, agents, assigns and others who may be acting in concert with them, from unreasonably interfering with Plaintiffs' rights to free expression in public forums within the City of Dallas, and more specifically order Defendants to:

Withdraw any requirement that Plaintiffs' purchase insurance to cover their exercise of their First Amendment rights;

[SIGNATURE PAGE & CERTIFICATE OF SERVICE FOLLOWS]

Respectfully submitted,

By: 

Jonathan F. Winocour

State Bar No. 24037730

David P. Ray III

State Bar No. 24027766

WINOCOUR | RAY

9400 N. Central Expressway, Suite 1204

Dallas, Texas 75231

(214) 575-6060 Telephone

(214) 575-6220 Facsimile

jwinocour@winocour-ray.com

dray@winocour-ray.com

By: 

Corinna Chandler

Texas Bar No. 24061272

Chandler Martinez, L.L.P.

6611 Hillcrest Avenue, Box # 542

Dallas, Texas 75205

(214) 758-0354 Telephone

(214) 758-0362 Facsimile

chandler@chandlermartinez.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document and the accompanying appendix were served on the City Attorney for the City of Dallas via hand delivery on this Wednesday, October 12, 2011.

By: 

Jonathan F. Winocour